

Jason S. Brookner
Texas Bar No. 24033684
Andrew K. York
Texas Bar No. 24051554
Amber M. Carson
Texas Bar No. 24075610
GRAY REED & MCGRAW LLP
1601 Elm Street, Suite 4600
Dallas, Texas 75201
Telephone: (214) 954-4135
Facsimile: (214) 953-1332

**COUNSEL TO SUMMITBRIDGE
NATIONAL INVESTMENTS III, LLC**

**IN THE UNITED STATE BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re	§	
	§	
Rhoderick Terrence Williams,	§	Case No. 19-33539-hdh-7
	§	
Alleged Debtor.	§	
	§	
<hr/>		
Rhoderick Terrence Williams,	§	
	§	
Plaintiff	§	
	§	
v.	§	Adv. No. 19-03238-hdh
	§	
SummitBridge National Investments	§	
III, LLC, Charles J. Burger, and Jeff	§	
Deines,	§	
	§	
Defendants.	§	

**UNOPPOSED MOTION TO ABATE ADVERSARY
PROCEEDING AND ALL APPLICABLE DEADLINES**

SummitBridge National Investments III, LLC (“SummitBridge”), the petitioning creditor herein, for its *Unopposed Motion to Abate Adversary Proceeding and all Applicable Deadlines* (the “Motion”), respectfully represents:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Consideration of this Motion is a core proceeding under 28 U.S.C. § 157(b)(2).

2. Venue in this Court is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

BACKGROUND

3. On October 25, 2019, SummitBridge initiated this bankruptcy proceeding against Rhod Williams (the “Putative Debtor”) by filing with this Court an involuntary petition under chapter 7 of title 11 of the United States Code (the “Bankruptcy Code”).

4. On November 18, 2019, the Putative Debtor filed his *Original Answer to Involuntary Petition, Counterclaim and Third Party Complaint* [Docket No. 6], which was amended on December 9, 2019 [Docket No. 18] (as amended, the “Answer”).

5. On December 9, 2019, the Putative Debtor filed his *Original Complaint* [Adv. Pro. No. 1] (the “Complaint”) against SummitBridge, Charles Burger, and Jeff Deines commencing this Adversary Proceeding (the “Adversary Proceeding”). In the Complaint, the Putative Debtor asserts causes of action under 11 U.S.C. § 303(i) and (k) for costs, attorney’s fees, damages, and sealing of the bankruptcy court record.

RELIEF REQUESTED

6. By this Motion, SummitBridge seeks an order abating the Adversary Proceeding and all applicable deadlines unless and until the involuntary petition is dismissed. As discussed with the Court during the status conference held on December 10, 2019, SummitBridge believes that the Adversary Proceeding should be abated in its entirety until the Court rules on the merits of the involuntary petition. The Putative Debtor does not oppose the relief set forth herein.

WHEREFORE, SummitBridge respectfully requests that this Court enter an order, substantially in the form of **Exhibit A**, attached hereto, (i) abating the Adversary Proceeding and all relevant deadlines until an order for relief is entered or the underlying bankruptcy case is dismissed, and (ii) granting such other and further relief as may be just and proper.

Respectfully submitted this 9th day of January, 2020.

GRAY REED & MCGRAW LLP

By: /s/ Jason S. Brookner
Jason S. Brookner
Texas Bar No. 24033684
Andrew York
Texas Bar No. 24051554
Amber M. Carson
Texas Bar No. 24075610
1601 Elm Street, Suite 4600
Dallas, Texas 75201
Telephone: (214) 954-4135
Facsimile: (214) 953-1332
Email: jbrookner@grayreed.com
dyork@grayreed.com
acarson@grayreed.com

COUNSEL TO THE DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 9th day of January, 2020, a true and correct copy of the foregoing document was served via the Court's CM/ECF system.

/s/ Jason S. Brookner
Jason S. Brookner

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that on the 9th day of January, 2020, he conferred with counsel to the Putative Debtor who indicated that he does not oppose the relief sought herein.

/s/ Jason S. Brookner
Jason S. Brookner

Exhibit A

Proposed Order

**IN THE UNITED STATE BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re	§	
	§	
Rhoderick Terrence Williams,	§	Case No. 19-33539-hdh-7
	§	
Alleged Debtor.	§	
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Rhoderick Terrence Williams,	§	
	§	
Plaintiff	§	
	§	
v.	§	Adv. No. 19-03238-hdh
	§	
SummitBridge National Investments III, LLC, Charles J. Burger, and Jeff Deines,	§	
	§	
Defendants.	§	
	§	

**ORDER GRANTING UNOPPOSED MOTION TO ABATE
ADVERSARY PROCEEDING AND ALL APPLICABLE DEADLINES**

On January 9, 2020, SummitBridge National Investments III, LLC (“SummitBridge”), the petitioning creditor herein, filed its *Unopposed Motion to Abate Adversary Proceeding and all*

Applicable Deadlines (the “Motion”), seeking an abatement of this Adversary Proceeding until this Court rules on the merits of the underlying involuntary petition. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334; this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and venue before this Court is proper pursuant to 28 U.S.C. § 1408 and 1409. The Court finds that cause exists to grant the relief requested within the Motion.

IT IS THEREFORE ORDERED that the Motion is **GRANTED** as set forth herein; it is further

ORDERED that this Adversary Proceeding and all applicable deadlines are abated until this Court rules on the merits of the involuntary petition filed against the Putative Debtor; and it is further

ORDERED that in the event that the underlying involuntary petition against the Putative Debtor is dismissed, the Defendants herein shall have twenty-one (21) days after the date of dismissal to file an answer to the Plaintiff’s Original Complaint.

###END OF ORDER###

Submitted by:

GRAY REED & McGRAW LLP

Jason S. Brookner
Texas Bar No. 24033684
Andrew York
Texas Bar No. 24051554
Amber M. Carson
Texas Bar No. 24075610
1601 Elm Street, Suite 4600
Dallas, Texas 75201
Telephone: (214) 954-4135
Facsimile: (214) 953-1332
Email: jbrookner@grayreed.com
dyork@grayreed.com
acarson@grayreed.com

COUNSEL TO THE DEFENDANTS

Dennis M. Holmgren
State Bar No. 24036799
**HOLMGREN JOHNSON:
MITCHELL MADDEN, LLP**
13800 Montfort, Suite 160
Dallas, Texas 75240
Tel. (972) 484-7780
Fax (972) 484-774

- and -

Melissa S. Hayward
MHayward@HaywardFirm.com
Texas Bar No. 24044908
HAYWARD & ASSOCIATES PLLC
10501 N. Central Expy., Suite 106
Dallas, Texas 75231
972.755.7100 (phone)
972.755.7110 (facsimile)

ATTORNEYS FOR THE PLAINTIFF